

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

JEFFERY DAVID FONTENOT

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CASE NUMBER 6:18-CR-00064-JRG

**ORDER ADOPTING THE MAGISTRATE JUDGES
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, U.S. Magistrate Judge Zack Hawthorn recommended:

1. that the court find that the Defendant violated the allegation in the petition that alleges that he violated a mandatory condition of release;
2. that the Defendant's supervised release should be revoked pursuant to 18 U.S.C. § 3583; and
3. the Defendant should be sentenced to a term of imprisonment of 11 months' imprisonment, which shall include the 180 days of Fontenot's unserved community confinement (converted to an equivalent term of imprisonment), with a twelve month term of supervised release to follow. The first 180 days of the new term of supervised release should be served in community confinement. The Defendant requested to serve his prison term at the Federal Correctional Institution in Beaumont. The Defendant's request should be accommodated, if possible.

At the close of the revocation hearing, the defendant, defense counsel and counsel for the government each signed a standard form waiving their right to object to the proposed findings and recommendations contained in the magistrate judge's report, consenting to revocation of supervised release and imposition of the sentence recommended. Defendant also waived his right to be present with counsel and to speak at sentencing before the court imposes the recommended sentence.


Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and the Defendant's supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

So Ordered this

Nov 27, 2018



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE